

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION – at Cincinnati**

HUNTER DOSTER, et. al.,	:	Case No. 1:22-cv-00084-MWM
Plaintiffs	:	
v.	:	
FRANK KENDALL, et. al.,	:	
Defendants	:	

**DECLARATION OF CHRISTOPHER WIEST IN SUPPORT OF MOTION FOR
ATTORNEY FEES/INTERIM ATTORNEY FEES**

Pursuant to 28 U.S.C. §1746, the undersigned, Christopher Wiest, Esq., makes the following declaration, under penalty of perjury under the laws of the United States of America, that the facts contained herein are true and correct to the best of my knowledge and belief and that such facts are made based on my personal knowledge:

1. My name is Christopher Wiest, and I am, and have been, one of the Counsel for Plaintiffs, in relation to the above captioned matter.
2. I received my undergraduate degree from the University of Cincinnati in 2000, and my law degree from the University of Cincinnati in 2004. I was admitted to practice law in Ohio in November 2004, and in Kentucky in May 2005. I have actively practiced law in Ohio from 2004 to December 2016, and from January 2018 to the present, and in Kentucky from 2005 to 2017, and from November 2018 to the present.
3. The hours requested in the fee application, by both myself, and my co-counsel, have been necessarily expended.
4. The fees requested comport with and are reasonable in light of the factors contained in the Ohio Rules of Professional Conduct 1.5 insofar as they accurately reflect the time and

labor required in the prosecution of this matter, the difficulty of the questions involved, and the skill required to perform the work properly; they comport with the fees charged by others for similar legal services; and they are appropriate in light of the results obtained.

5. I am a member in good standing of the Kentucky and Ohio bar. I am also licensed to practice law in the United States District Courts for the Western Districts of Kentucky, the Northern and Southern Districts of Ohio, the D.C. District Court, the D.C. Circuit Court of Appeals, the United States Court of Appeals for the Sixth Circuit, the United States Court of Appeals for the Fourth Circuit, and United States Court of Appeals for the Second Circuit.
6. From 2004 to 2005, I practiced law as an Assistant Attorney General for the Ohio Attorney General's Office. From 2005 to 2012, I practiced law with a large law firm's Cincinnati office. Since 2012 (except from April 2017 through January 2018), I have been a solo practitioner, with an office in Crestview Hills, Kentucky and later Cincinnati, Ohio and Covington, Kentucky as well.
7. Since 2013 to the present, starting with the with the handling of *Kenny Brown, et al. v. Kentucky LRC, et al.*, 2:13-CV-00068 (EDKY) (*Brown*), I have handled a significant number of Constitutional matters in federal court, in both Ohio and Kentucky and the United States Court of Appeals for the Sixth Circuit, as lead counsel. I have attached, as **Exhibit A**, a resume that outlines much of that experience.
8. As a consequence of the foregoing experience, Plaintiffs hired me and my firm to be their counsel in this matter. Plaintiffs who were located at Wright Patterson Air Force Base signed engagement agreements with my law firm in January 2022; other Plaintiffs signed

engagement agreements with the Siri & Glimstad firm. I have had a relationship with the Siri & Glimstad firm since 2019, when I was introduced to Aaron Siri and he was introduced to me, and we have co-counseled on certain cases together since then. Aaron Siri and I recognized that there were extraordinarily common facts and legal issues with respect to religious accommodation denials by the military, and the Air and Space Force in particular. Given the expertise that each firm brought to the table with respect to this litigation, these facts prompted the co-counsel arrangement between our firms in this matter. I involved attorney Thomas Bruns in this matter because of his extensive experience (more than 30 years of litigation in federal and state court). In fact, my small law firm, which comprises myself and an associate attorney, did not have the manpower necessary to institute and maintain national class action litigation against the United States Government, though I did have significant experience litigating federal civil rights issues, including religious freedom claims. Siri & Glimstad brought expertise with respect to vaccine issues (Mr. Siri and Ms. Brehm), class action litigation experience (Mr. Siri and Mr. Barney), former Judge Advocates who were able to help work through issues involving military law (Ms. Cox and Ms. Ursula Smith), associate and more junior attorney support, and paralegal support. Tasking between counsel in this matter was handled and assigned based on the foregoing experience.

9. In my current practice, I charge clients on a case-by-case basis, depending on the complexity, forum, and difficulty of the litigation.
10. The rate contained in my firm's engagement agreement with Plaintiffs in this matter is consistent with the *Rubin* rates typically approved in this district.

11. The attorneys in this matter are seeking hourly rates in accordance with the matrix established by a committee established by Judge Rubin (known as the *Rubin* rates), which has been repeatedly affirmed by judges in this District.¹ As the Sixth Circuit has explained it, the *Rubin* rates are “a list of pre-calculated billing rates tiered by years of experience” to determine a reasonable rate for the area. *Linneman v. Vita-Mix Corp.*, 970 F.3d 621, 630 (6th Cir. 2020). These rates are adjusted with a 4% per year cost of living adjustment from a base 1983 matrix. *QFS Transp., LLC*, 2023 U.S. Dist. LEXIS 61982; *Hunter*, No. 1:10-cv-820, 2013 U.S. Dist. LEXIS 141297, 2013 WL 5467751, at *17.
12. My hourly rate under the *Rubin* matrix is \$566.36; I am seeking \$565 per hour in this matter, which is rounded down slightly.
13. It is my opinion, given my experience, circumstances, the work performed, and similar factors, that the prevailing market rates for civil rights litigation in federal court, in the Southern District of Ohio, where this matter was filed, for an attorney with my experience and full circumstances, is \$566.36 per hour, using the well-established *Rubin* rates. I rounded that down to \$565 per hour, for ease.

¹ See, e.g., *QFS Transp., LLC v. Huguely*, 2023 U.S. Dist. LEXIS 61982 (SDOH 2023); *Cooley v. Aevum Hotels, LLC*, No. 1:21-cv-00798, 2022 U.S. Dist. LEXIS 137958, 2022 WL 3042590, at *6 (S.D. Ohio Aug. 2, 2022); *Planned Parenthood Sw. Ohio Region v. Ohio Dep't of Health*, No. 1:21-cv-00189 (S.D. Ohio Apr. 8, 2021) (Doc. 22); *Ball v. Kasich*, No. 2:16-cv-282, 2020 U.S. Dist. LEXIS 100265, 2020 WL 3050241, at *2 (S.D. Ohio June 8, 2020); *Doe v. Ohio*, No. 2:91-cv-00464, 2020 U.S. Dist. LEXIS 24826, 2020 WL 728276, at *10 (S.D. Ohio Feb. 12, 2020); *Gibson v. Forest Hills Sch. Dist. Bd. of Educ.*, No. 1:11-cv-329, 2014 U.S. Dist. LEXIS 96112, 2014 WL 3530708, at *6 (S.D. Ohio July 15, 2014); *Hunter v. Hamilton Cty. Bd. of Elections*, No. 1:10-cv-820, 2013 U.S. Dist. LEXIS 141297, 2013 WL 5467751, at *17 (S.D. Ohio Sept. 30, 2013); *Georgia-Pacific LLC v. Am. Int'l Specialty Lines Ins. Co.*, 278 F.R.D. 187, 192 (S.D. Ohio 2010) (citing *West v. AK Steel Corp. Retirement Accumulation Pension Plan*, 657 F. Supp. 2d 914, 932 n.4 (S.D. Ohio 2009)).

14. I likewise exercised billing judgment at the time my work was recorded. For instance, I did not record every short assignment or phone call. I have reviewed each time entry, and I have made a good faith effort to exclude hours that are excessive, redundant, or otherwise unnecessary. Thus, compensation is not sought for all of the work performed. All time is entered on the case contemporaneous with the work that was performed.
15. In fact, I removed, on my own, 32.1 hours of time that I thought could possibly raise questions of reasonableness.
16. I also want to mention that this matter was litigated in a reasonable way.
17. Attached as **Exhibit B**, hereto, is a complete copy of my time entries and bills for the above captioned matter in the District Court, Sixth Circuit, U.S. Supreme Court, and an ancillary matter in the District of Maryland over a subpoena dispute with the Department of Justice.
18. In terms of the general handling of this litigation, Mr. Bruns, Mr. Siri, and I served as lead counsel. As noted above, there was unique experience that each firm brought to the table. A review of the billing entries is consistent with this division of labor. It reveals that I generally took the lead in drafting more significant pleadings; other counsel drafted certain other filings; the Siri firm generally handled recurring communications with the class, although not exclusively. We reviewed and collaborated appropriately from differing experience sets. Mr. Bruns, Mr. Siri, and I attempted to push tasks to more junior attorneys where we could, but given case complexities, that was not always possible.
19. In terms of assessing the discovery practice in this case (which is not readily apparent on the docket, but does become more clear from a review of the time entries), the

Government directed discovery (at or near the interrogatory limits along with extensive document requests) at the 18 separately named Plaintiffs. In order to address that discovery within the applicable response period, Plaintiffs' counsel divided up the work load in a manner that had six attorneys handling 2-4 clients each, with direct contact for the initial responses; those attorneys were also directly responsible for obtaining responsive documents from the clients. I generated the objections that were generally re-used, and I reviewed all final responses before they were served. While each counsel who was working with the clients reviewed documents for privilege, I ultimately was responsible for the final review and production.

20. On the other end, the Government eventually produced more than 40,000 pages of discovery, in several tranches, and there were multiple deficiency letters – those documents were largely produced on a rolling basis; more senior attorneys were involved in taking a general inventory at a high level, and assessing whether the government complied with the requests; but the tasks of day-to-day and detailed review largely fell to Wendy Cox and Dana Smith with Siri & Glimstad – Ms. Dana Smith as a more junior attorney, and Ms. Cox, a long-time Army Judge Advocate who would be most attuned to identifying the relevant and material documents for use in the case. Together, they would pull “hot documents” that had particular pertinence for our use and those would then be reviewed by the larger team for consideration as to a specific use in the case.
21. Throughout the litigation, all Plaintiffs' counsel generally received emails, phone calls, and documents coming in from various class members and putative class members, across the globe, with respect to emerging developments regarding the vaccination

mandate and the Air and Space Force's (mis)handling of it. The Siri & Glimstad firm maintained a class-action website for the benefit of the class, with updates.

22. While depositions were never taken or defended, they were noticed, and there were a few false starts with some efforts underway to prepare for the taking of those those depositions. In addition, there was a significant amount of work involved in considering potential issues for expert witness testimony and considering potential experts to offer relevant opinions.

23. I also wanted to address conferencing with co-counsel. I did not bill for a number of those conferences, such as short telephone calls. But managing the litigation of this size, which required a number of attorneys to match the resources marshalled on the other side, required not infrequent coordination.

24. In light of the political climate surrounding the issues in this matter, the size of the Plaintiff class, the number and novelty of legal issues involved, the scope of paper discovery, the potential for significant expert witness testimony and the aggressiveness of the Government Defendants in defending their conduct, the number of hours in my invoice and those of my co-counsel were both reasonable and necessary to properly litigate this matter to a successful conclusion.

25. Also complicating this matter (and increasing the hours) were two parallel appeals in the Sixth Circuit: one on the individual 18 Plaintiff preliminary injunction (Case No. 22-3497) and one on the class-wide preliminary injunction (Case No. 22-3702). Extended oral argument was scheduled in back-to-back arguments for both cases, rather than the normal 15 minutes per side, and I extensively prepared for that argument. In terms of that oral argument preparation, I ensured that I knew, front and back, all of the cases cited

by all sides, and had an extensive command of the record below, which took a significant amount of time to prepare for.

26. One final note: this case was the most challenging I have had in my career, in terms of complexity, resources required (attorney time in particular, but also paralegal support); it was challenging because there were clients and putative clients around the globe; it was challenging because deadlines often came with little time to respond, particularly in the July, 2022 to November, 2022 period, and we had a scheduling order in the trial court case entered in August, 2022, that was aggressive. Add to all of that the high stakes nature of the litigation – people’s liberty and livelihoods were on the line – people who took an oath to defend the country. And I know that all of Plaintiffs’ counsel felt that pressure daily. While an enhancement is probably warranted, we are not asking for one.
27. In total, the attached invoices reflect total hours spent in this matter, over a period of more than two years, of 826.2 hours. Thus, total attorney fee time at \$565 per hour (826.2 hours) is 466,803.00. Total expenses include \$3900.68, which are reasonable and customary charges to paying clients. The total request, at this time, for my time and firm’s expenses is thus \$470,703.68, and this is reasonable and appropriate for this matter.
28. These invoices contain time and expenses through April 26, 2024. I reserve the right to supplement this declaration with additional time and expenses spent on the fee application, reply, any appellate litigation related to the fee application, or other time or expense incurred after April 26, 2024.

Pursuant to 28 U.S.C. §1746, I declare under penalties of perjury under the laws of the United States of America that the foregoing Declaration is true and correct to the best of my knowledge and belief and that such facts are made based on my personal knowledge.

Executed on April 26, 2024.

A handwritten signature in black ink, appearing to read "Christopher Wiest", written over a horizontal line.

Christopher Wiest

Christopher D. Wiest

50 E. Rivercenter Blvd, Ste. 1280
Covington, KY 41011
859/486-6850(v) 513/257-1895(c)
chris@cwiestlaw.com

EXPERIENCE

Current: Chris Wiest, Attorney at Law, PLLC, Covington, Kentucky; Cincinnati, Ohio

Litigation:

-Federal and constitutional law matters, including:

- Serve as lead or co-counsel in numerous civil rights cases including:
 - *Doster v. Kendall*, 54 F.4th 398 (6th Cir. 2022) (class certification and affirmance of national class for RFRA/First Amendment claims related to religious exemptions for COVID-19 vaccine mandate);
 - *Fischer v. Thomas*, 52 F.4th 303 (6th Cir. 2022) (injunction pending appeal granted related to First Amendment challenge of Kentucky judicial canons);
 - *Sisters For Life, Inc. v. Louisville-Jefferson Cnty.*, 56 F.4th 400 (6th Cir. 2022) (reversal of denial of preliminary injunction over First Amendment claims related to abortion clinic buffer zone ordinance);
 - *MCP No. 165 v. United States DOL*, 20 F.4th 264 (6th Cir. 2021) (challenge to OSHA vaccine mandate)
 - *Roberts v. Neace*, 958 F.3d 595 (6th Cir. 2020) (obtained injunction pending appeal in a published decision that found a First Amendment Free Exercise violation, and re-opened in person worship in the Commonwealth of Kentucky in the midst of COVID-19, in a decision that has since been cited repeatedly by the United States Supreme Court);
 - *Winter v. Wolnitzek*, 834 F.3d 681 (6th Cir. 2016) (lead counsel in a successful First Amendment challenge to Kentucky's Judicial Canons);
 - *Russell v. Grimes*, 784 F.3d 1037 (6th Cir. 2015) (lead counsel, First Amendment Electioneering case);
 - *Bosarge v. Edney*, 2023 U.S. Dist. LEXIS 67439 (SDMS 2023) (preliminary injunction granted on First Amendment Free Exercise claim);
 - *Schelske v. Austin*, 2022 U.S. Dist. LEXIS 229432 (NDTX 2022) (preliminary injunction granted on First Amendment Free Exercise/RFRA claim);
 - *Coleman v. Winbigler*, 2022 U.S. Dist. LEXIS 125562 (EDKY 2022) (preliminary injunction granted in one-person, one-vote equal protection challenge);
 - *Massie v. Pelosi*, 1:21-cv-02023 (DCD 2021) (Representation of 3 members of Congress in challenge to fines under the 27th Amendment and other federal constitutional claims);
 - *Mazer v. D.C. Department of Health*, 1:21-cv-01782 (DCD 2021) (Constitutional challenge to DC's minor vaccination consent law based on the fundamental right to parent and make medical decisions for minors);
 - *Roberts v. Neace*, 457 F. Supp.3d 595 (EDKY 2020) (finding Governor's COVID-19 travel ban unconstitutional and enjoining same);
 - *Ramsek v. Beshear*, 468 F. Supp.3d 904 (EDKY 2020) (finding Governor's gathering ban, as applied to political gatherings, unconstitutional under the First Amendment); *Ramsek v. Beshear*, 989 F.3d 494 (6th Cir. 2021) (finding Governor's appeal moot).

- *Kohler v. City of Cincinnati*, 2021 U.S. Dist. LEXIS 76457 (SDOH 2021) (reverse race discrimination case under the Equal Protection Clause, challenging a 40-year-old race and sex quota consent decree in Cincinnati police hiring);
- *Hils, et. al. v. Davis, et. al.*, 1:21-cv-00475 (SDOH 2021) (Freedom of the Press case involving right of police to record their interviews with the City of Cincinnati Citizen Complaint Authority);
- *Cooperrider v. Beshear*, 3:21-cv-00012 (EDKY 2021) (representation of private citizens who petitioned for the impeachment of the Governor in First Amendment challenge to the punitive imposition of “costs” and attorney fees as punishment for doing so);
- *Beshear v. Acree*, 615 SW 3d 780 (Ky. 2020) (representation of business in challenges under state constitutional to Governor’s emergency executive powers).
- *Sweeney v. Crigler*, 457 F.Supp.3d 577 (EDKY 2020) (obtained preliminary injunction in favor of third parties and independent candidates upon challenges to Kentucky’s ballot access laws);
- *Daly v. Neil*, 1:18-cv-00346 (SDOH 2018) (lead counsel, Second Amendment challenge to Ohio’s concealed carry requirement for a firearm in a private motor vehicle);
- *Brooksbank v. Koch*, 3:16-cv-668 (WDKY 2016) (served as lead trial counsel in 3-day jury trial against Kentucky State Trooper for violations of the Fourth and First Amendments, obtained verdict in client’s favor);
- *Schickel v. Dilger*, 2017 U.S. Dist. LEXIS 86555 (EDKY 2017) (lead counsel, First Amendment challenge to campaign finance and legislative ethics laws);
- *Hunter v. Hamilton County, et. al.*, 1:15-cv-00540 (SDOH 2015) (lead counsel, defense of private attorneys retained by county to represent former judge in wide-ranging civil rights claims against attorneys and judges by that former judge);
- *USA v. \$11,000.00 in United States Currency*, 2:14-cv-00125, EDKY 2014 (serve as co-counsel with Institute for Justice attorneys on challenge to civil asset forfeiture by the United States; obtained the funds in question for the client as a resolution to the case and national press shut down civil asset forfeiture for approximately a year);
- *Brown, et. al. v. Kentucky LRC, et. al.*, EDKY, 2:13-cv-0068 (lead counsel, Kentucky redistricting suit)

Past Experience:

Thompson Hine, LLP, Cincinnati, Ohio.
Associate, September, 2005-July, 2012.

Ohio Attorney General’s Office, Columbus, Ohio.
Assistant Attorney General, September 2004-2005.

EDUCATION

University of Cincinnati College of Law, Cincinnati, Ohio.
J.D., May 2004, *Order of the Coif*.

Honors and Activities:

-*University of Cincinnati Law Review*; Editorial Board 2003-04; Associate Member 2002-2003.

-Elected to the *Order of the Coif*.

University of Cincinnati College of Business, Cincinnati, Ohio.
Bachelor of Business Administration, December, 2000.

ADMISSIONS

Supreme Court of Ohio, 2004
Supreme Court of Kentucky, 2005
U.S. Court of Appeals for the D.C. Circuit, 2004
U.S. Court of Appeals for the Sixth Circuit, 2004
U.S. Court of Appeals for the Second Circuit, 2023
U.S. Court of Appeals for the Fourth Circuit, 2023
U.S. District Court for the Northern District of Ohio, 2004
U.S. District Court for the Southern District of Ohio, 2005
U.S. District Court for the Eastern District of Kentucky, 2006
U.S. District Court for the Western District of Kentucky, 2006
U.S. District Court for the D.C. District, 2021

Chris Wiest, Atty at Law, PLLC

50 E Rivercenter Blvd, Ste. 1280
Covington, KY 41011**Statement of Services**

Date	Invoice #
4/27/2024	1426

Bill To
Hunter Doster, et. al. v. Kendall, et. al

P.O. No.	Terms	Project

Date	Description	Hours	Rate	Amount
1/12/2022	Call with Hunter Doster (0.3); call with J. Anderson (0.4)	0.7	565.00	395.50
1/27/2022	Call with three other prospective Plaintiffs from WPAFB on RAR processing	0.4	565.00	226.00
2/8/2022	Communications with clients to obtain information for lawsuit.	3.3	565.00	1,864.50
2/9/2022	Review documents sent by client for complaint (2.2); Draft Complaint (3.4)	5.6	565.00	3,164.00
2/9/2022	Review client administrative materials regarding religious accommodation processing.	4.2	565.00	2,373.00
2/10/2022	Review client administrative materials regarding religious accommodation processing.	3.7	565.00	2,090.50
2/12/2022	Draft complaint.	2.4	565.00	1,356.00
2/13/2022	Follow up with clients on materials (1.8); Draft Complaint (3.6).	5.4	565.00	3,051.00
2/14/2022	Draft, edit, research, and revise Complaint.	6.5	565.00	3,672.50
2/15/2022	Edit, review, and revision of complaint.	2.4	565.00	1,356.00
2/15/2022	Legal research on (b)(2) class certification issues (2.3); legal research on military exhaustion and deference issues (3.4) -- inclusion of memo to file re: same.	5.7	565.00	3,220.50
2/17/2022	Draft, edit, and research Motion for Preliminary Injunction and TRO.	4.9	565.00	2,768.50
2/18/2022	Draft, edit, and research Motion for Preliminary Injunction and TRO.	5.5	565.00	3,107.50
2/19/2022	Additional drafting, edits, and research Motion for Preliminary Injunction and TRO.	3.5	565.00	1,977.50
		Total		
		Payments/Credits		
		Balance Due		

Phone #	Fax #	E-mail
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Chris Wiest, Atty at Law, PLLC

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Date	Description	Hours	Rate	Amount
2/20/2022	Draft, edit, and research Motion for Preliminary Injunction and TRO.	4.4	565.00	2,486.00
2/22/2022	Finalize TRO and PI motion.	1.1	565.00	621.50
2/23/2022	Call with chambers.	0.3	565.00	169.50
2/24/2022	Call with chambers.	0.3	565.00	169.50
2/24/2022	Emails and calls with seven clients (separate calls) re: TRO and DOJ issues.	1.3	565.00	734.50
2/28/2022	Call with Court (0.4); Motion TRO for Hunter Doster (1.1)	1.5	565.00	847.50
2/28/2022	Draft, research, and edit Class Action Certification Motion	2.1	565.00	1,186.50
3/1/2022	Draft, research, and edit Class Action Certification Motion	4.8	565.00	2,712.00
3/2/2022	Draft, edit, and revise Motion for Class Certification.	5.3	565.00	2,994.50
3/9/2022	Read, review and analyze Government's 525 page response.	9.4	565.00	5,311.00
3/9/2022	Draft declarations for clients; email clients same.	0.6	565.00	339.00
3/10/2022	Draft, edit, and research Reply.	7.4	565.00	4,181.00
3/11/2022	Draft, edit, and research Reply.	6.6	565.00	3,729.00
3/12/2022	Draft, edit, and research Reply.	5.2	565.00	2,938.00
3/13/2022	Draft, edit, and research Reply.	3.3	565.00	1,864.50
3/14/2022	Edit and revise Reply Brief (1.4); attend to declaration issues with clients (1.5).	2.9	565.00	1,638.50
3/15/2022	Edit Reply Brief.	2.1	565.00	1,186.50
3/16/2022	Review and finalize reply brief with attachments.	1.7	565.00	960.50
		Total		
		Payments/Credits		
		Balance Due		

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Date	Description	Hours	Rate	Amount
3/16/2022	Conference with co-counsel with respect to division of witnesses for PI hearing.	0.3	565.00	169.50
3/18/2022	Work on witness outline (2.2); call with clients re: hearing and prep. (2.5)	4.7	565.00	2,655.50
3/19/2022	Prepare for cross-examination of govt declarants at PI hearing.	2.4	565.00	1,356.00
3/21/2022	Prepare for PI hearing, including analysis of cases cited by Govt and preparation to handle argument regarding same.	3.2	565.00	1,808.00
3/22/2022	Prepare for PI hearing, including analysis of cases cited by Govt and preparation to handle argument regarding same.	4.1	565.00	2,316.50
3/23/2022	Prepare for PI hearing (direct examination and closing)	4.4	565.00	2,486.00
3/23/2022	Review Motion to sever by Govt (0.8); Initial review of Response to Class cert motion by Govt and outline for Reply (1.1)	1.9	565.00	1,073.50
3/24/2022	Draft and edit and research response to Govt motion to sever.	5.2	565.00	2,938.00
3/24/2022	Prepare for PI hearing, including analysis of cases cited by Govt and preparation to handle argument regarding same.	5.7	565.00	3,220.50
3/25/2022	Prepare for PI hearing (direct examination and closing)	2.3	565.00	1,299.50
3/25/2022	PI Hearing.	4.8	565.00	2,712.00
3/29/2022	Review Class Cert reply from WC; edit, research, and revision to same (3.1); call with H. Doster and draft Declaration for H. Doster on class issue (0.8)	3.9	565.00	2,203.50
			Total	
			Payments/Credits	
			Balance Due	

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Date	Description	Hours	Rate	Amount
3/30/2022	Final edits to Reply in support of Class Certification.	3.3	565.00	1,864.50
4/4/2022	Follow up on case preparation with co-counsel and potential clients/witnesses.	4.4	565.00	2,486.00
4/5/2022	Conference with W. Cox re: issues on additional adverse actions within the putative class.	0.6	565.00	339.00
4/5/2022	Conference with witnesses/other putative class members.	0.8	565.00	452.00
4/6/2022	Conference with witnesses/other putative class members.	1.1	565.00	621.50
4/12/2022	Review email from chambers	0.2	565.00	113.00
4/21/2022	Review Defs supp. authority and analyze whether response is necessary.	0.3	565.00	169.50
4/26/2022	Review Def's MTD for lack of jurisdiction and research, draft, and edit outline and analyze cited cases related to same.	2.2	565.00	1,243.00
4/28/2022	Research, draft, and edit outline and analyze cited cases related to Def's MTD.	2.6	565.00	1,469.00
5/3/2022	attend court conference	0.4	565.00	226.00
5/9/2022	Attend to (draft and edit) supplemental filing.	0.3	565.00	169.50
5/9/2022	Researching and drafting MTD response.	3.4	565.00	1,921.00
5/10/2022	Review emails from DOJ, responses to same, and discussion with co-counsel about privilege issues raised by DOJ	0.4	565.00	226.00
5/10/2022	Call with clients re: case developments.	0.4	565.00	226.00
5/11/2022	Review emails from DOJ, responses to same, and discussion with co-counsel about privilege issues raised by DOJ	0.3	565.00	169.50
			Total	
			Payments/Credits	
			Balance Due	

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Bill To
Hunter Doster, et. al. v. Kendall, et. al

P.O. No.	Terms	Project

Date	Description	Hours	Rate	Amount
5/12/2022	Draft, edit, research and revise response to Motion to Dismiss	3.7	565.00	2,090.50
5/12/2022	Review agreed order	0.2	565.00	113.00
5/12/2022	Review emails from DOJ, responses to same, and discussion with co-counsel about privilege issues raised by DOJ	0.2	565.00	113.00
5/13/2022	Draft, edit, research and revise response to Motion to Dismiss	3.7	565.00	2,090.50
5/13/2022	Draft Discovery directed at issues raised in MTD	1.2	565.00	678.00
5/13/2022	Telephone call with clients	0.4	565.00	226.00
5/14/2022	Draft, edit, research and revise response to Motion to Dismiss	4.2	565.00	2,373.00
5/14/2022	Draft declaration in support of MTD response	1.1	565.00	621.50
5/15/2022	Draft, edit, research and revise response to Motion to Dismiss	2.4	565.00	1,356.00
5/16/2022	Edit, review, and finalize response to MTD along with supporting documentation.	3.1	565.00	1,751.50
5/16/2022	Review and respond to client emails re: ongoing punitive actions and potential for contempt	0.3	565.00	169.50
5/17/2022	Review and respond to client emails re: ongoing punitive actions and potential for contempt	0.6	565.00	339.00
5/31/2022	Review/analyze reply in support of mtd and analyze cases cited therein	1.3	565.00	734.50
5/31/2022	Preparation of case opening document for plf	0.1	565.00	56.50
6/8/2022	Review and analyze DOJ filing re: fact development	0.4	565.00	226.00
6/8/2022	Review, edit, revise Plfs fact development filing	1.4	565.00	791.00

Total**Payments/Credits****Balance Due**

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Chris Wiest, Atty at Law, PLLC

50 E Rivercenter Blvd, Ste. 1280
Covington, KY 41011**Statement of Services**

Date	Invoice #
4/27/2024	1426

Bill To
Hunter Doster, et. al. v. Kendall, et. al

P.O. No.	Terms	Project

Date	Description	Hours	Rate	Amount
6/13/2022	Preparation of corp disclosure in 6th circuit appeal	0.2	565.00	113.00
6/21/2022	Review emails with Air Force separation boards and additional adverse actions against the putative class	0.4	565.00	226.00
6/22/2022	Call with plaintiffs	0.8	565.00	452.00
7/1/2022	Review DOJ supplemental filing	0.3	565.00	169.50
7/8/2022	Review DOJ filings	0.5	565.00	282.50
7/14/2022	Review orders from the Court (0.4), communicate same with clients and telephone calls from clients (1.4).	1.8	565.00	1,017.00
7/15/2022	Communicate with DOJ re: ongoing separation proceedings	0.2	565.00	113.00
7/18/2022	Review AF guidance re: TRO (0.4); calls with co-counsel re: ongoing issues to address in briefing (0.5)	0.9	565.00	508.50
7/19/2022	Calls with clients re: ongoing violation of TRO	0.7	565.00	395.50
7/21/2022	Review Govt brief and analyze same	1.4	565.00	791.00
7/22/2022	Discuss Govt pleading with TSB and W. Cox.	0.6	565.00	339.00
7/22/2022	Draft and edit and research response Brief re: classwide PI	3.3	565.00	1,864.50
7/23/2022	Draft and edit and research response Brief re: classwide PI	4.2	565.00	2,373.00
7/24/2022	Draft and edit and research response Brief re: classwide PI	3.5	565.00	1,977.50
7/25/2022	Draft, edit, and revise brief in district court on class pi	4.1	565.00	2,316.50
7/26/2022	Attend to class member issues and questions.	1.4	565.00	791.00
7/26/2022	Review and analyze government Sixth Circuit brief (1.9); attend to outline for response to same (2.4)	4.3	565.00	2,429.50
7/27/2022	Review judge's order; call with co-counsel.	1.2	565.00	678.00
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Date	Description	Hours	Rate	Amount
7/28/2022	Attend to class member issues and questions.	1.2	565.00	678.00
7/29/2022	Attend to class member issues and questions.	2.2	565.00	1,243.00
7/29/2022	Respond to five emails and three phone calls from class members with questions and issues	1.7	565.00	960.50
8/1/2022	Review opt out emails	0.2	565.00	113.00
8/1/2022	Began to outline discovery plan and research into publicly available documents for potential follow up discovery topics	1.2	565.00	678.00
8/2/2022	Attend to class member questions and issues (respond to four emails and a phone call)	1.4	565.00	791.00
8/2/2022	Review opt out emails	0.2	565.00	113.00
8/2/2022	Confer with co-counsel on 26(f) via email	0.3	565.00	169.50
8/3/2022	Attend to class member questions and issues (respond to two emails and two phone calls)	1.9	565.00	1,073.50
8/4/2022	Review opt out emails	0.3	565.00	169.50
8/4/2022	Confer with co-counsel on 26(f) via email	0.2	565.00	113.00
8/5/2022	Attend to class member questions and issues (respond to six emails and two phone calls)	2.2	565.00	1,243.00
8/5/2022	Confer with co-counsel on 26(f) via email	0.3	565.00	169.50
8/8/2022	Call with Co-Counsel re: discovery plan and needs (1.1); attend to class member questions and issues (1.8).	2.9	565.00	1,638.50
8/8/2022	Draft, edit, and revise factual section of appellate brief in Sixth Circuit appeal	2.6	565.00	1,469.00
8/9/2022	26(f) conference	1.2	565.00	678.00
8/9/2022	Draft, edit, and revise factual section of appellate brief in Sixth Circuit appeal	5.4	565.00	3,051.00
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Date	Description	Hours	Rate	Amount
8/10/2022	Status call with co-counsel	0.8	565.00	452.00
8/10/2022	Began drafting list of documents for document production	1.3	565.00	734.50
8/11/2022	Draft, edit, and revise factual section of appellate brief in Sixth Circuit appeal	3.4	565.00	1,921.00
8/12/2022	Review Govt. Response to 26(f); drafted supplement.	2.2	565.00	1,243.00
8/15/2022	Review filings by Govt. re: emergency stay motion and began to research same.	1.7	565.00	960.50
8/16/2022	Draft, edit, and research response to Government stay motion.	3.2	565.00	1,808.00
8/16/2022	Review six emails from class members about injunction violations and calls with same (0.9); calls with Bruns and Cox re: same (0.2).	1.1	565.00	621.50
8/17/2022	Call with Co-Counsel to discuss next steps (1.1); draft agreed order re: scope (0.8)	1.9	565.00	1,073.50
8/17/2022	Draft, edit, and research response to Government stay motion.	6.8	565.00	3,842.00
8/17/2022	Review email from DOJ re: opt outs	0.2	565.00	113.00
8/18/2022	Draft, edit, and research response to Government stay motion.	9.4	565.00	5,311.00
8/19/2022	Review order from district court on stay relief denial (0.2); review email from DOJ on 26(f) issues (0.2); telephone conference with Bruns and Cox on 26(f) issues raised by DOJ (0.3).	0.7	565.00	395.50
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Date	Description	Hours	Rate	Amount
8/22/2022	Review Government filing re: stay in Sixth Circuit (3702 appeal) (1.1); zoom call with co-counsel to discuss division of labor re: same (0.7); began drafting and researching response (9.8).	11.6	565.00	6,554.00
8/22/2022	Attend to 26(f) issues with government.	0.9	565.00	508.50
8/22/2022	Review email from DOJ and attachment on joint motion for protective order	0.4	565.00	226.00
8/23/2022	Attend to 26(f) issues with government.	0.8	565.00	452.00
8/23/2022	Draft, research, and edit response to motion for stay by Govt in Sixth Circuit (3702 appeal).	7.7	565.00	4,350.50
8/23/2022	Review, edit, and revise 26(a) disclosures.	0.6	565.00	339.00
8/23/2022	Review, edit, and revise 26(a) disclosures.	0.7	565.00	395.50
8/24/2022	Draft, research, and edit response to motion for stay by Govt in Sixth Circuit (3702 appeal).	4.9	565.00	2,768.50
8/24/2022	Draft motion to extend page limitations for stay response from Govt in Sixth Circuit.	0.8	565.00	452.00
8/25/2022	Draft, research, and edit response to motion for stay by Govt in Sixth Circuit (3702 appeal).	7.6	565.00	4,294.00
8/25/2022	Review four emails with opt outs	0.2	565.00	113.00
8/27/2022	Review Reply filed by Govt in Sixth Circuit to stay request	1.8	565.00	1,017.00
8/28/2022	Review email from C. Snyder re: ESI issues.	0.2	565.00	113.00
8/29/2022	Review and redline protective order	1.6	565.00	904.00
8/29/2022	Attend to class member inquiries	0.4	565.00	226.00

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Date	Description	Hours	Rate	Amount
8/30/2022	Conference with court (0.8); calls with co-counsel (0.4); redline protective order and sent to government (0.7); review ESI and redline and sent to government (0.2)	2.1	565.00	1,186.50
8/30/2022	Review govt. initial disclosures.	0.3	565.00	169.50
8/31/2022	Research witnesses for govt. initial disclosures for deposition requests.	1.1	565.00	621.50
9/1/2022	Attend to discovery issues (ESI and protective order issues)	0.6	565.00	339.00
9/1/2022	Additional drafting, organization and editing of Doster1 appellate brief.	4.2	565.00	2,373.00
9/2/2022	Attend to discovery issues (ESI and protective order issues)	0.4	565.00	226.00
9/2/2022	Review discovery requests to the Government and edit and revise same.	2.2	565.00	1,243.00
9/3/2022	Attend to discovery issues (ESI and protective order issues)	0.2	565.00	113.00
9/3/2022	Review discovery requests to the Government and edit and revise same.	3.5	565.00	1,977.50
9/6/2022	Review and finalize written discovery to the other side.	1.9	565.00	1,073.50
9/6/2022	Draft, edit, and research Doster1 Brief in Sixth Circuit	3.3	565.00	1,864.50
9/7/2022	Call with DOJ re: discovery.	0.6	565.00	339.00
9/7/2022	Draft, edit, and research Doster1 Brief in Sixth Circuit	4.7	565.00	2,655.50
9/7/2022	Draft motion to consolidate appeals.	0.9	565.00	508.50
9/8/2022	Review 502 order and redline to same.	0.8	565.00	452.00
9/8/2022	Review and redline 502/protective order from government.	1.1	565.00	621.50
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9/8/2022	Draft, edit, and research Doster1 Brief in Sixth Circuit	4.2	565.00	2,373.00
9/9/2022	Review order from 6th circuit.	0.4	565.00	226.00
9/9/2022	Draft, edit, and research Doster1 Brief in Sixth Circuit	5.1	565.00	2,881.50
9/10/2022	Draft reply to motion to consolidate appeals.	0.8	565.00	452.00
9/10/2022	Zoom call with 18 Plaintiffs for case update and to field questions.	1.4	565.00	791.00
9/10/2022	Draft, edit, and research Doster1 Brief in Sixth Circuit	6.4	565.00	3,616.00
9/11/2022	Draft, edit, and research Doster1 Brief in Sixth Circuit	5.2	565.00	2,938.00
9/12/2022	Draft, research, and edit Doster1 Sixth Circuit Brief.	9.8	565.00	5,537.00
9/13/2022	Draft, edit, revise, and research Doster1 Sixth Circuit Brief.	8.8	565.00	4,972.00
9/14/2022	Review IG memo (0.4); draft, edit and research motion to supplement the record (1.8)	2.2	565.00	1,243.00
9/16/2022	Draft, edit, revise, and research Doster1 Sixth Circuit Brief; harmonize edits from team on same.	5.1	565.00	2,881.50
9/17/2022	Draft, edit, revise, and research Doster1 Sixth Circuit Brief; harmonize edits from team on same.	3.2	565.00	1,808.00
9/18/2022	Draft, edit, revise, and research Doster1 Sixth Circuit Brief; harmonize edits from team on same.	2.9	565.00	1,638.50
9/19/2022	Edit and revise Doster1 brief	2.9	565.00	1,638.50
9/20/2022	Review and resolve comments to Doster1 Brief by Mason Barney; edit and revise brief.	3.8	565.00	2,147.00
9/21/2022	Edit and revise brief in Doster1; proof and edit prior to sending to paralegal for final proof and tables.	5.3	565.00	2,994.50
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9/22/2022	Attend to Appellee brief in Doster1 (review edits made by and tables by paralegal, correct typographical errors). Made other edits to the brief. Attend to certifications. Finalize brief.	4.2	565.00	2,373.00
9/22/2022	Review discovery to Def's redlines from W. Cox; revise and edit same.	0.4	565.00	226.00
9/23/2022	Review discovery to Def's redlines back from E. Brehm and A. Siri; edit and finalize same.	0.3	565.00	169.50
9/23/2022	Emails re: discovery issues.	0.8	565.00	452.00
9/24/2022	Review Government's Brief in Doster2 and outline responses same (1.9); began researching and drafting response to Government's brief (5.6)	7.5	565.00	4,237.50
9/25/2022	Draft, edit, and research Appellee Brief in Doster2.	6.6	565.00	3,729.00
9/26/2022	Draft, edit, and research Doster2 Brief in Sixth Circuit.	8.2	565.00	4,633.00
9/27/2022	Draft, edit, research, and revise Doster2 Brief in Sixth Circuit.	8.4	565.00	4,746.00
9/27/2022	Call with Government on depositions.	0.8	565.00	452.00
9/27/2022	Call with clients	0.5	565.00	282.50
9/28/2022	Draft, edit, research, and revise Doster2 Brief in Sixth Circuit.	2.8	565.00	1,582.00
9/28/2022	Draft Reply for motion to supplment in sixth circuit.	3.2	565.00	1,808.00
9/29/2022	Review brief edits by TSB (0.4) and draft, edit, research, and revise brief in Doster2 (4.4); review 21-state amicus brief (0.4).	5.2	565.00	2,938.00
9/30/2022	Review and resolve W. Cox comments to the brief.	1.8	565.00	1,017.00
10/3/2022	Edits, research, and revisions to Doster2 Brief	3.2	565.00	1,808.00
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Date	Description	Hours	Rate	Amount
10/4/2022	Edits, research, and revisions to Doster2 Brief	2.4	565.00	1,356.00
10/4/2022	Review email from Z Avalonne re: discovery	0.1	565.00	56.50
10/5/2022	Review edits from co-counsel to Doster2 Brief and accept/reject same. Additional edits and research.	3.7	565.00	2,090.50
10/5/2022	Call with DOJ re: depositions; prepare notices of deposition.	1.2	565.00	678.00
10/5/2022	Prepare notices of deposition for govt witnesses	1.1	565.00	621.50
10/5/2022	Confer with co-counsel on discovery issues and division of labor	0.2	565.00	113.00
10/5/2022	Research into potential expert on assigned issue	0.8	565.00	452.00
10/6/2022	Edit, research, and revise Doster2 Brief.	3.7	565.00	2,090.50
10/6/2022	Call (zoom) with clients	0.9	565.00	508.50
10/6/2022	Review government discovery responses and identify (at a broad level) deficiency issues for follow up action.	1.1	565.00	621.50
10/7/2022	Near-final review and edits of Doster2 (3.2); review of proof and edits from paralegal (0.7); review and edit of tables of cases and contents from paralegal (1.2); trim,draft and edit brief for word count compliance (2.6)	7.7	565.00	4,350.50
10/7/2022	Call with co-counsel.	0.8	565.00	452.00
10/7/2022	Oral argument acknowledgement form in 3702 appeal.	0.2	565.00	113.00
10/11/2022	Preparation for oral argument in sixth circuit	2.2	565.00	1,243.00
10/11/2022	attend to compliance issues.	0.4	565.00	226.00
10/12/2022	Preparation for oral argument in sixth circuit	3.4	565.00	1,921.00
10/15/2022	Oral argument preparation in sixth circuit	4.4	565.00	2,486.00
10/15/2022	Review and analyze Govt. reply brief in 3702 appeal.	2.2	565.00	1,243.00
10/16/2022	Oral argument preparation in sixth circuit	4.2	565.00	2,373.00

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10/17/2022	Rsearch cases cited in Government Reply Briefs (1.8); oral argument preparation (5.4)	7.2	565.00	4,068.00
10/18/2022	Oral argument preparation	9.4	565.00	5,311.00
10/18/2022	Attend to depo scheduling issues	0.3	565.00	169.50
10/19/2022	Prepare for (7.1), and attend (2.1), oral argument.	9.2	565.00	5,198.00
10/20/2022	Began discovery review at a high level to ascertain what was produced and what, generally, was missing from production but asked for (4.2); draft and edit several emails to DOJ (1.4)	5.6	565.00	3,164.00
10/21/2022	Draft and research discovery objections.	4.5	565.00	2,542.50
10/25/2022	Review of recent discovery responses, continued inventory of same.	4.4	565.00	2,486.00
10/26/2022	attend to discovery issues (call with DOJ - 0.7; emails to clients re: our discovery responses - 1.4; calls with co-counsel re: discovery - 0.4).	2.5	565.00	1,412.50
10/28/2022	Review DOJ discovery responses (1.8); calls with co-counsel including edit deficiency letter as a group (1.2); Draft, edit, and research lengthy deficiency letter to DOJ discovery responses (5.8).	8.8	565.00	4,972.00
10/31/2022	Research and review objections to lodge generally for Plfs responses to Def's discovery (3.8)	3.8	565.00	2,147.00
11/1/2022	Call/zoom with H. Doster re: his discovery responses and edits to same (1.4)	1.4	565.00	791.00
11/2/2022	Telco call with J. Anderson re: discovery responses and draft and edit same (2.6)	2.6	565.00	1,469.00
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Date	Description	Hours	Rate	Amount
11/2/2022	Review certain "hot docs" identified by co-counsel in their discovery review of Govt. discovery response (1.4); additional review of Govt. document production in preparation for discovery dispute call (2.3)	3.7	565.00	2,090.50
11/3/2022	Prep for call with USDOJ - made chart re: existing disputes (1.8); Telco call with USDOJ re: discovery (1.5); email to DOJ with take-aways from call and RFAs (1.3); zoom call with B. Martin re: his discovery responses and draft and edit same (1.6)	6.2	565.00	3,503.00
11/4/2022	Draft email to Court re: discovery dispute.	1.2	565.00	678.00
11/7/2022	Call with Dana and Wendy re: research assignment (0.4); attend to discovery issues/responses with H. Doster (1.8); attend to discovery issues/responses with B. Martin (1.1); attend to discovery issues/responses with C. McCormick and telephone call re: same (2.9); email to plaintiffs (0.4); three emails to/from Ramsperger re: discovery responses (0.7)	7.3	565.00	4,124.50
11/9/2022	Respond to questions via three emails from Plfs re: their discovery responses.	0.4	565.00	226.00
11/10/2022	Review certain "hot docs" in Govt. discovery	1.4	565.00	791.00
11/14/2022	Attend to discovery responses, specifically review and revision, and finalized 8 responses by Plfs to the Government.	5.8	565.00	3,277.00
11/14/2022	Zoom call with 18 clients and discussions of discovery issues with same.	2.7	565.00	1,525.50
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Date	Description	Hours	Rate	Amount
11/14/2022	Review discovery responses from Leiby sent to me by TSB; comment and revisions to same.	1.4	565.00	791.00
11/16/2022	Zoom call with co-counsel re: Plfs discovery responses and case planning.	1.2	565.00	678.00
11/16/2022	Review and finalize discovery responses of additional plaintiffs to Defendants.	2.5	565.00	1,412.50
11/16/2022	Document review of materials produced by clients for privilege and production.	3.3	565.00	1,864.50
11/17/2022	Document review of materials produced by clients for privilege and production.	5.2	565.00	2,938.00
11/18/2022	Document review of materials produced by clients for privilege and production.	4.6	565.00	2,599.00
11/21/2022	Attend to Plfs discovery, document review of Plfs production and finalize first set of production of documents to Government.	7.3	565.00	4,124.50
11/22/2022	Review Theriault discovery responses.	0.4	565.00	226.00
11/23/2022	Co-Counsel call on discovery status and planning.	0.4	565.00	226.00
11/27/2022	Attend to discovery and production issues (email to clients - 0.2; produce additional documents from stapanon - 0.4; attend to group production re: threats and aborted fetal tissue - 2.8)	3.4	565.00	1,921.00
11/28/2022	Attend to discovery issues with co-counsel and clients.	2.4	565.00	1,356.00
11/29/2022	Review and analyze opinion from sixth circuit	1.1	565.00	621.50
11/29/2022	Attend to discovery issues with co-counsel and clients.	3.8	565.00	2,147.00
11/30/2022	Finalize and complete review of second production to DOJ for privilege and production.	5.9	565.00	3,333.50
			Total	
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Chris Wiest, Atty at Law, PLLC

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Date	Invoice #
4/27/2024	1426

Bill To
Hunter Doster, et. al. v. Kendall, et. al

P.O. No.	Terms	Project

Date	Description	Hours	Rate	Amount
11/30/2022	Zoom call with co-counsel to discuss case issues.	1.1	565.00	621.50
12/5/2022	Confer with TSB on Def's discovery position and consideration of motion to compel	0.2	565.00	113.00
12/5/2022	Receipt and review of Def's discovery letter and analyze same in light of actual responses	0.5	565.00	282.50
12/7/2022	Call with clients and class members	0.5	565.00	282.50
12/12/2022	Call with clients (1.1); draft, edit, and research response to Govt. Deficiency letter with letter (2.6); call with DOJ (0.6)	4.3	565.00	2,429.50
12/15/2022	Respond to Govt. emails re: rehearing	0.3	565.00	169.50
12/19/2022	Attend to discovery issues and review addl discovery responses by Govt.	1.4	565.00	791.00
1/2/2023	Call with clients to discuss NDAA and information re: potential mootness	0.9	565.00	508.50
1/3/2023	Attend to discovery issues and analyze govt. responses (1.6); email to govt. re same (0.7).	2.3	565.00	1,299.50
1/5/2023	Review pleadings and analyze relief offered/intended vs. needed via NDAA	0.7	565.00	395.50
1/5/2023	Review Rans transcript provided by LC in MC case	0.8	565.00	452.00
1/6/2023	zoom call with co-counsel to discuss govt. stay request	0.4	565.00	226.00
1/6/2023	Call with DOJ on stay request	0.4	565.00	226.00
1/9/2023	Call with clients to discuss stay issues, mootness issues, and other case developments	0.9	565.00	508.50
1/11/2023	Review and analyze filing by DOJ on NDAA implementation	0.8	565.00	452.00
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1/11/2023	Teleconference with TSB on NDAA implementation (0.3); zoom call with all co-counsel re: same (0.3); research availability of certain relief (1.1)	1.7	565.00	960.50
1/13/2023	Conference with co-counsel (0.4); conference with DOJ (0.6)	1	565.00	565.00
1/13/2023	Zoom call with LC to discuss mootness issues in other branch cases and comparison to AF in light of NDAA	0.6	565.00	339.00
1/17/2023	Telco with DOJ re: case	0.4	565.00	226.00
1/17/2023	Conference with co-counsel re: case	0.6	565.00	339.00
1/19/2023	Communications with DOJ on compliance issue.	0.6	565.00	339.00
1/20/2023	Review Defs Opp to Marks depo and research same	1.4	565.00	791.00
1/23/2023	Zoom call with clients on status and NDAA implementation	0.9	565.00	508.50
1/24/2023	Telephone call with certain clients re: developments	0.8	565.00	452.00
1/31/2023	Review of filing by DOJ re: developments on implementation	0.6	565.00	339.00
2/2/2023	Review motion to quash notice by DOJ filed in D. MD (Case No. 8:23-cv-00285 MDD)	0.9	565.00	508.50
2/6/2023	Deposition notices draft	1.3	565.00	734.50
2/11/2023	Review discovery documents for production (3.2)	3.2	565.00	1,808.00
2/11/2023	Legal research in support of opposition to Def's Motion to Quash Marks' deposition in support of opposition.	2.1	565.00	1,186.50
2/13/2023	Review documents from clients for privilege, arrange production of same.	5.2	565.00	2,938.00
2/13/2023	Review Quash response and redline same.	1.7	565.00	960.50
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Date	Description	Hours	Rate	Amount
2/13/2023	Draft, edit, and research Opposition to Government's Motion to Quash Marks Notice of Deposition.	1.9	565.00	1,073.50
2/15/2023	Draft, edit, and research Opposition to Government's Motion to Quash Marks Notice of Deposition.	1.2	565.00	678.00
2/21/2023	Review and edit Response to Motion to Quash	0.8	565.00	452.00
2/22/2023	Revise Notice re: MD for ohio filing re: Marks	0.3	565.00	169.50
3/1/2023	Began draft, research, and edit of en banc response	4.2	565.00	2,373.00
3/2/2023	Draft en banc response.	3.6	565.00	2,034.00
3/3/2023	Draft, edit, and research en banc response	3.8	565.00	2,147.00
3/3/2023	zoom call with co-counsel	0.7	565.00	395.50
3/3/2023	Edit and revise declarations	1.1	565.00	621.50
3/6/2023	Review and edit declaration.	0.8	565.00	452.00
3/7/2023	Draft email to chambers	0.3	565.00	169.50
3/8/2023	Review and edit en banc response after TSB reviewed.	0.8	565.00	452.00
3/8/2023	Zoom with co counsel.	0.8	565.00	452.00
3/9/2023	En banc response after AS edits.	0.7	565.00	395.50
3/9/2023	Call with W. Cox re: declarations.	0.2	565.00	113.00
3/13/2023	Attend to declarations in support of en banc opposition	1.1	565.00	621.50
3/13/2023	Draft, edit, tables, and revisions and edits to en banc response	4.9	565.00	2,768.50
3/21/2023	Motion to supplement record draft and edit.	0.9	565.00	508.50
3/23/2023	Review government filing .	0.3	565.00	169.50
3/28/2023	Draft/edit, finalize reply to supplement	0.7	565.00	395.50
4/6/2023	28(j) letter response	0.4	565.00	226.00
4/24/2023	Zoom call with clients and elicit facts re: mootness from same.	0.6	565.00	339.00

Total**Payments/Credits****Balance Due**

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Date	Description	Hours	Rate	Amount
5/2/2023	Review and analyze Government's MTD	1.8	565.00	1,017.00
5/2/2023	Began drafting and researching MTD response in Doster	3.2	565.00	1,808.00
5/3/2023	Zoom to discuss tasking for preparation of memo in response.	0.7	565.00	395.50
5/4/2023	Draft response Memo.	3.3	565.00	1,864.50
5/5/2023	Draft, research, edit and revise Brief on mootness.	3.9	565.00	2,203.50
5/11/2023	Draft, research, edit and revise Mootness response brief.	5.3	565.00	2,994.50
5/12/2023	Resolve TSB comments and WC comments to mootness response.	1.2	565.00	678.00
5/15/2023	Review edits from co-counsel and resolve same to mootness response; revise declarations, finalize same.	2.2	565.00	1,243.00
5/15/2023	Review and revise mootness response.	2.3	565.00	1,299.50
5/16/2023	Finalize mootness response and exhibits	3.7	565.00	2,090.50
7/5/2023	zoom call to discuss SCOTUS filing.	0.3	565.00	169.50
8/21/2023	Prepare letter re: extension of time to file cert. petition response.	0.6	565.00	339.00
9/28/2023	Draft, research, and attend to cert. petition response.	4.8	565.00	2,712.00
9/29/2023	Draft, research, and attend to cert. petition response.	5.4	565.00	3,051.00
10/2/2023	Draft, edit, revise and research cert petition response.	2.2	565.00	1,243.00
10/3/2023	Draft, edit, revise and research cert petition response.	3.3	565.00	1,864.50
10/4/2023	Draft, edit, revise and research cert petition response.	2.4	565.00	1,356.00
10/5/2023	Draft, edit, revise and research cert petition response.	2.3	565.00	1,299.50
10/6/2023	Draft, edit, and research cert. petition response.	3.3	565.00	1,864.50
10/7/2023	Draft, edit, and research cert. petition response.	4.4	565.00	2,486.00
10/8/2023	Draft, edit, and research cert. petition response.	5.7	565.00	3,220.50
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10/10/2023	Review cert petition response by WC and accept/reject edits.	0.9	565.00	508.50
10/10/2023	Review cert. petition edits by E. Brehm, and resolved same; undertook editorial process to remove approximately 500 words to move towards word count compliant with cert. petition response.	3.2	565.00	1,808.00
10/12/2023	Review, revise, and edit cert. petition response.	2.2	565.00	1,243.00
10/13/2023	Draft, edit, and revise cert. petition response.	6.2	565.00	3,503.00
10/14/2023	Review TSB's comments to cert. petition response and incorporate same; edit and revise cert. petition response for compliance with word count limit; additional research and drafting.	2.2	565.00	1,243.00
10/15/2023	Review, revise, and draft cert. petition response with AS comments.	0.9	565.00	508.50
10/16/2023	Revise and edit cert. petition response.	0.8	565.00	452.00
10/17/2023	Proof of cert. petition response review and revisions.	3.2	565.00	1,808.00
10/18/2023	Follow up with printer on SCOTUS filing.	0.2	565.00	113.00
2/5/2024	Draft and edit mootness brief.	2.2	565.00	1,243.00
2/5/2024	attend to follow up submission on mootness (research)	1.2	565.00	678.00
2/6/2024	Call with Plaintiffs.	1.1	565.00	621.50
2/8/2024	Edit and revise mootness filing.	0.7	565.00	395.50
2/9/2024	Edit and revise mootness filing.	2.2	565.00	1,243.00
4/18/2024	Review time entries for fee application (1.4); communications with J. Kuhlman on expert declaration (1.6); began drafting fee application (1.9)	4.9	565.00	2,768.50
4/21/2024	Draft, edit, and research attorney fee motion.	3.9	565.00	2,203.50
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4/22/2024	Draft, edit, and research motion for attorney fees and costs.	5.3	565.00	2,994.50
4/26/2024	Draft, edit, and revise fee application	2.2	565.00	1,243.00
2/21/2022	Postage costs for service		113.80	113.80
3/4/2022	Pro Hac Fees - Doster		600.00	600.00
3/8/2022	PACER charges		68.30	68.30
3/31/2022	Court transcript		727.75	727.75
9/9/2022	PACER Fees		346.90	346.90
11/3/2022	filing fee - pro hac - stone		200.00	200.00
10/18/2023	Printer costs for Cert. Petition Response at SCOTUS.		1,843.93	1,843.93
	Total Reimbursable Expenses			3,900.68
			Total	\$470,703.68
			Payments/Credits	\$0.00
			Balance Due	\$470,703.68

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